

## **ADDITIONAL REQUIRED APPLICATION DOCUMENTATION**

**All of the following items are required to be submitted with your loan application: (Please submit information in a tabbed binder. If an item is not applicable to your project, please indicate N/A under the appropriate tab.)**

1. Disclosure to Seller with Voluntary, Arm's Length Purchase Offer letter signed by the seller or proof of delivery (see attached **EXHIBIT A**).
2. Signed certification of delivery, General Information Notice (see attached **EXHIBIT B**).
3. Copy of the rent as of the date of loan application.
4. If you are applying for federal funds, you will need to provide a statement that indicates if the Federal HOME units will be fixed ( a certain unit(s) will be assigned as the HOME unit(s) or floating (HOME units can change)

## **SAMPLE LETTER - Disclosures to Seller with Voluntary, Arm's Length Purchase Offer**

Dear \_\_\_\_\_:

This is to inform you that       (Agency/Person)       would like to purchase the property located at       (Street address or Other Identification)      , if a satisfactory agreement can be reached. We are prepared to pay \$                      for clear title to the property under the conditions described in the attached proposed contract of sale.

Because Federal funds may be used in the purchase, however, we are required to disclose to you the following information:

1. The sale is voluntary. If you do not wish to sell the property, the       (Agency/Person)       will not acquire your property. The       (Agency/Person)       does not have the power to acquire your property by condemnation (i.e., eminent domain).

2. We estimate the fair market value of the property to be \$                                      based upon                                     .

Since the purchase would be a voluntary, arm's length transaction, you would not be eligible for relocation payments or other relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or any other law or regulation. Also, as indicated in the contract of sale, this offer is made on the condition that:

- No new tenants will be permitted to occupy the property before the sale is completed,  
or  
       New tenants will be required to meet the new Federal program guidelines at occupancy.

Again, please understand that if you do not wish to sell your property, we will take no further action to acquire it. If you are willing to sell the property under the conditions described in the attached contract of sale, please sign the contract and return it to us.

If you have any questions about this matter, please contact                     . His/Her telephone number is                     .

Sincerely,

(       Name / Title       )

Enclosure

## **EXHIBIT A continued**

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970  
(URA)

### **Instructions for Application for OWHLF Funding**

**These instructions are not designed to inform you of all URA requirements rather they are designed to help you know what is necessary at the time of application and shortly thereafter under the circumstances of a “typical” OWHLF project.**

A “typical” OWHLF project is an acquisition of land with construction of a new building or acquisition and rehabilitation of an existing building. Furthermore, the “typical” project would not be displacing any individuals or families. The rehabilitation would be scheduled around vacant units and moving tenants from one unit to another within the building or in some cases would be of a nature that the tenant would not need to leave the unit at all. If your project is outside of this “typical” project i.e., there is a chance of displacing individuals or families, we encourage you to call Shelli Goble to discuss the situation and contact a URA specialist as early as possible to avoid any potential problems with funding the project.

**Instructions For “Typical” Projects:** (“non-typical projects have these same requirements but the letters referenced may be different. “Non-typical projects will also have far more requirements. Again please contact Shelli Goble for these projects):

#### **Acquisition of Land or Existing Building:**

1. **At the time of application, please submit a copy of the Disclosure to Seller with Voluntary, Arm’s length purchase offer.** (see attached sample letter) The sample may not meet the exact situation of your project so please make sure to modify as necessary. The important parts are (a) to inform the seller at the first offer that the sale is voluntary and if negotiations fail, the agency will not purchase the property and will not use eminent domain (or does not have the power of eminent domain), and (b) the estimated market value of the property).
2. **Evidence of delivery needs to be provided at the time of application also.** Acceptable evidence is seller’s signature on Disclosure or certified receipt of delivery.

#### **Rehab Projects:**

3. **A copy of the rent roll for the month that negotiations started should be submitted at the time of application.** The rent roll should include name, apartment number, and current rent amount.
4. **A Copy of the rent roll for the month of purchase of the building.** This needs to be submitted at closing or shortly thereafter.

5. **The General information notice (GIN) should be turned in at the time of application** (see attached sample notice). A GIN needs to be provided with the application regardless of whether tenants will be displaced or not. The attached sample is for the situation where no tenants will be displaced. For information for other situations, please contact Shelli Goble.
6. **The purchaser must certify at the time of application that the GIN was provided to each tenant at the time of negotiations** (see attached certification).
7. **Each tenant must have a tenant file, which includes evidence of delivery of the GIN.** Acceptable evidence of delivery may be a certified return receipt or a copy of the GIN signed by the tenant.

## **Sample General Information Notice**

*Grantee or Agency Letterhead*

(Date)

Dear \_\_\_\_\_:

On     (date)    ,     (property purchaser)     submitted an application to the Olene Walker Housing Loan Fund for financial assistance to purchase and rehabilitate the building which you occupy at     (address)    .

This notice is to inform you that, if the assistance is provided and the building is rehabilitated, you will not be displaced. Therefore, we urge you not to move anywhere at this time. (If you do elect to move for reasons of your choice, you will not be provided relocation assistance.)

If the application is approved and Federal assistance is provided for the rehabilitation, you will be able to lease and occupy your present apartment (or another suitable, decent, safe and sanitary apartment in the same building) upon completion of the rehabilitation. Of course, you must comply with standard lease terms and conditions.

After the rehabilitation, your initial rent, including the estimated average monthly utility costs, will not exceed the greater of (a) your current rent/average utility costs, or (b) 30 percent of your average monthly gross household income. If you must move temporarily so that the rehabilitation can be completed, suitable housing will be made available to you for the temporary period, and you will be reimbursed for all reasonable extra expenses, including all moving costs and any increase in housing costs.

Again, we urge you not to move. If the project is approved, you can be sure that we will make every effort to accommodate your needs. Because Federal assistance would be involved, you would be protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Sincerely,

(((Name/Title ))

**EXHIBIT B continued**

**CERTIFICATION OF DELIVERY**

I \_\_\_\_\_ certify that each tenant of

\_\_\_\_\_  
Name of Applicant  
address

Property

\_\_\_\_\_ has received a copy of the General  
Information

Notice and proof of delivery has been placed in each individual tenant's file.

\_\_\_\_\_

\_\_\_\_\_  
(Signature)

(Date)